



NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

FACT SHEET FOR A DRAFT RCRA PERMIT ISSUED TO THE UNITED STATES DEPARTMENT OF ENERGY FOR HAZARDOUS WASTE MANAGEMENT ACTIVITIES AT THE NEVADA TEST SITE

This FACT SHEET summarizes the basis for the DRAFT PERMIT prepared for issuance to the United States Department of Energy (USDOE) for the continued management of hazardous waste pursuant to the Resource Conservation and Recovery Act (RCRA) at the Nevada Test Site (NTS) located in Nye County, Nevada. The DRAFT PERMIT is a renewal action that will allow the USDOE to continue ongoing hazardous waste management activities first permitted under RCRA in 1995 and again in 2000. Under the requirements of NRS 459.520(4), permits may be issued for any period of not more than five years. Therefore, the holder of a hazardous waste permit is required to submit to the NDEP a new permit application for review and approval within five years after the issuance of the Permit. The USDOE is allowed to continue hazardous waste management activities in accordance with their current permit until the DRAFT PERMIT is finalized and issued or denied. The Nevada Division of Environmental Protection (NDEP) has developed this FACT SHEET in accordance with the requirements of NAC 444.8632 and 40 CFR § 124.8.

A. PURPOSE OF THE PERMITTING PROCESS

The purpose of the permitting process is to afford the Nevada Division of Environmental Protection, interested citizens, and other governmental agencies the opportunity to evaluate the ability of the Permittee (USDOE) to comply with the applicable hazardous waste management requirements promulgated under the Resource Conservation and Recovery Act (RCRA). NDEP is authorized pursuant to §

3006 of RCRA to administer the state hazardous waste management program in lieu of the federal program. NDEP is required to prepare a draft permit, which presents in one document, the applicable requirements with which the Permittee must comply, during the five year duration of the permit. The application and draft permit conditions are made available for public review and comment for a period of 45 days prior to NDEP taking any final action on the application for a hazardous waste management permit.

B. PROCEDURES FOR REACHING A FINAL DECISION

Nevada Administrative Code (NAC) 444.8632, and 40 CFR § 124.10 require that each draft permit prepared under the Resource Conservation and Recovery Act, including the application and administrative record, be made available for public comment for a period of forty-five days. The comment period will begin on September 29, 2005 and will end on November 14, 2005. Any person interested in commenting on the application or draft permit must do so within this 45-day comment period. Comments should include all reasonable available references, factual grounds and supporting material. A public hearing will be held, if necessary or requested, to further hear comments regarding the draft permit at the conclusion of the public comment period.

All persons wishing to request a hearing or comment on any of the permit conditions or the permit application should do so in writing and submit electronically to jdenison@ndep.nv.gov or at:

Nevada Division of Environmental Protection
Bureau of Waste Management
ATTN: Jeff Denison
901 S Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
Tel: 775-687-9465

Additional information may be obtained by
contacting USDOE at:

United States Department of Energy
Nevada Operations (DOE/NV)
Public Reading Facility
755 East Flamingo Rd.
North Las Vegas, Nevada 89119
Tel: 702-295-3521

When NDEP makes a final decision to issue, deny, or modify the permit, notice will be given to the applicant and each person who has submitted written comments or requested notice of the final decision. The final permit decision shall become effective thirty (30) days after the service of notice of the decision unless a later date is specified or review is requested under NAC 444.8632 and 40 CFR § 124.19 or an appeal of the Administrator's decision is submitted to the State Environmental Commission under NRS 445.274. If no comments requested a change in the permit, the permit shall become effective immediately upon issuance.

C. FACILITY DESCRIPTION

The Nevada Test Site (NTS) is a USDOE installation occupying 3598 km² (1,389 mi²) of federally owned land in southeastern Nye County. The NTS supports national security-related research, development and testing programs. During the course of its operations, the NTS generates hazardous waste that requires storage or treatment. The two units constructed and operating to perform this function are covered by the DRAFT PERMIT and are described as follows:

Hazardous Waste Storage Unit (HWSU)

Hazardous wastes regulated under the Resource Conservation and Recovery Act (RCRA) are generated at the NTS from a broad range of activities including on-site laboratories, paint shops, vehicle maintenance, communications, and site cleanup. All hazardous wastes, with the exception of waste explosives, are ultimately transported to off-site RCRA hazardous waste, treatment and/or disposal facilities. This permit will continue to allow the Permittee to store hazardous waste in containers pending off-site shipment.

The Hazardous Waste Storage Unit (HWSU) is a pre-fabricated, rigid-steel framed, roofed shelter used to store hazardous, non-radioactive waste generated on the NTS. The unit was originally designed as a 90-day Hazardous Waste Accumulation Site (HWAS) and has been in operation as such since 1990. The floor space of the concrete storage area is 31 m (100 ft) long by 9.1 m (30 ft) wide. 15 cm (6 in.) curbs are provided above the 15 cm (6 in.) floor slab around the perimeter of the structure and between the five segregated accumulation areas. The Permittee is allowed to store a maximum of 61,600 l (16,280 gal) of approved waste at a time. Containers must have tight lids in place at all times except when adding or removing waste or when inspecting the contents. Containers must also meet U.S. Department of Transportation requirements. All containers are placed on poly-spill pallets equipped with a sump capable of holding 208 l (55 gal) of liquid in the event of a leak. The total volume of the HWSU floor available for additional containment is 39,500 l (10,440 gal.) or approximately 64 percent of the maximum storage volume.

Explosive Ordnance Disposal Unit (EODU)

Conventional explosive wastes are generated at the NTS from tunnel operations, the NTS Security firing range, the resident national laboratories and other activities related to NTS operations. This permit allows the Permittee to

treat explosive (or reactive) wastes from on-site sources, which are hazardous wastes as defined under 40 CFR §§ 261.21, 261.23, 261.24, and 261.33, by open detonation in a specially constructed and managed area designed for the safe and effective treatment of explosive hazardous wastes.

The EODU consists of a detonation pit surrounded by an earthen pad approximately 20 m (65 ft) by 31 m (100 ft) and ancillary equipment which includes a bunker, electric shot box, and electric wire. The Permittee is allowed to detonate a maximum of 45.4 kilograms (100 pounds [lbs]) of approved waste at a time, not to exceed one detonation event per hour.

Additional Units

Two additional hazardous waste management units currently operate at NTS (1) the Low-Level Mixed Waste Disposal Unit (MWDU); and (2) the Mixed Waste Storage Unit (MWSU). The MWDU (sometimes referred to as “Pit 3”) is a landfill located at Area 5 and has operated under interim status since 1987 for the disposal of low-level radioactive mixed waste. [*Mixed hazardous wastes* are wastes that contain both RCRA hazardous waste constituents and source or byproduct material subject to the Atomic Energy Act.] To accept mixed hazardous wastes, a facility must submit a waste analysis plan. Following submittal of an approved waste analysis plan, a proposal to accept both on- and off-site mixed hazardous waste on an interim basis (subject to the requirements of 40 CFR 265) was included in the DRAFT PERMIT. The remaining capacity of the MWDU is about 20,000 cubic meters and the issuance of the DRAFT PERMIT will accelerate closure and installation of a final cover system for the unit. The NDEP is accepting public comment on this decision in conjunction with the DRAFT PERMIT.

The Mixed Waste Storage Unit is also located within the Area 5 Radioactive Waste Management Site. The MWSU receives and

stores mixed waste that may not be disposed immediately until a permitted facility can be found to properly reclaim, recycle, treat, or dispose of the waste. The Area 5 MWSU also provides temporary staging for waste destined for disposal at the MWDU. This unit operates in accordance with the provisions of a mutual consent agreement, negotiated between the USDOE and the NDEP.

D. BASIS FOR THE DRAFT PERMIT CONDITIONS

All permit limitations and requirements are adopted directly from NAC 444.842 through 444.960, inclusive, and 40 CFR Parts 124, and 260 through 270. No additional allowances or justification is required.